

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: **Jon A. Wolff, James E. Hagstrom, Paul M. Slattum, And Vladimir G. Budker** Serial No.: 09/631,152 Filed: 08/02/2000



For: Gene Expression With Covalently Modified Polynucleotides

Commissioner of Patents
and Trademarks
Washington, D.C. 20231

Dear Sir:

In response to the Notice to File Missing Parts of Application dated September 12, 2000, the small entity statements have been submitted along with the Declaration.

The request for additional claim fees in the amount of \$234.00 appears to be in error. Applicant calls attention to 37 C.F.R. §1.63(c) which states that the fee for additional claims in excess of 20 is \$9.00. Therefore, the fee for 13 claims over 20 is $9 \times 13 = \$117.00$. This fee has already been paid by credit card. A copy of the original Fee Transmittal filed on August 2, 2000 is enclosed. A credit card pay form was also submitted on the filing date. The credit card was charged for the correct amount.

Therefore, the only fee due is the late filing fee in the amount of \$130.00 which is submitted by credit card payment with this response.

If you have any questions or comments, please contact the undersigned attorney.

Respectfully submitted,

Mark K. Johnson
Mark K. Johnson, Reg. No. 35,909
P.O. Box 510644
New Berlin, WI 53151-0644
(414) 821-5690

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail - POST OFFICE TO ADDRESSEE, in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231 on 11/13/03.

EF 167431668 US

11-14-00

Sector #4 #3



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
 UNITED STATES PATENT AND TRADEMARK OFFICE
 WASHINGTON, D.C. 20231
 www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/631,152	08/02/2000	Jon wolff	Mirus.017.01

Mark K Johnson
 P O Box 510644
 New Berlin, WI 53151-0644



FORMALITIES LETTER



OC000000005393302

Date Mailed: 09/12/2000

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is insufficient.
Applicant must submit \$ 228 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$234.
 - \$234 for 13 total claims over 20.
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

- The balance due by applicant is \$ 592.

11/17/2000 KZEW DIE 00000009 09631152

01 FC:105

130.00 OP

65.00 DP

A copy of this notice MUST be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

Adjustment date: 12/14/2000 EEKUBAY1 00000038 09631152
 11/17/2000 KZEW DIE 00000009 09631152
 01 FC:105 -130.00 OP

PART 2 - COPY TO BE RETURNED WITH RESPONSE

12/14/2000 EEKUBAY1 00000038 09631152	Ref:	0030003850	\$65.00
01 FC:205	Ref:	12/14/2000	
	Ref:	9/12/2000	

11-14-00

PTO/SB/17 (6/99)

Approved for use through 09/30/2000. OMB 0651-0032
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2000

Patent fees are subject to annual revision.

Small Entity payments must be supported by a small entity statement, otherwise large entity fees must be paid. See Forms PTO/SB/09-12. See 37 C.F.R. §§ 1.27 and 1.28.

TOTAL AMOUNT OF PAYMENT (\$ 130.00)

Complete if Known

Application Number	09/631,152
Filing Date	August 2, 2000
First Named Inventor	Wolff, Jon A.
Examiner Name	
Group / Art Unit	
Attorney Docket No.	MIRUS.017.01

METHOD OF PAYMENT (check one)

1. The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number Deposit Account Name Charge Any Additional Fee Required
Under 37 CFR §§ 1.16 and 1.172. Payment Enclosed: Check Money Order Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
101	760	201 380 Utility filing fee	<input type="text"/>
106	310	206 155 Design filing fee	<input type="text"/>
107	480	207 240 Plant filing fee	<input type="text"/>
108	760	208 380 Reissue filing fee	<input type="text"/>
114	150	214 75 Provisional filing fee	<input type="text"/>

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES

Extra Claims	Fee from below	Fee Paid
Total Claims <input type="text"/> -20** = <input type="text"/> X <input type="text"/> = <input type="text"/>		
Independent Claims <input type="text"/> - 3** = <input type="text"/> X <input type="text"/> = <input type="text"/>		
Multiple Dependent <input type="text"/> = <input type="text"/>		

**or number previously paid, if greater; For Reissues, see below

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description
103	18	203 9 Claims in excess of 20
102	78	202 39 Independent claims in excess of 3
104	260	204 130 Multiple dependent claim, if not paid
109	78	209 39 ** Reissue independent claims over original patent
110	18	210 9 ** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

FEE CALCULATION (continued)

3. ADDITIONAL FEES

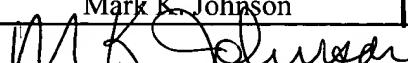
Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105	130	205 65 Surcharge - late filing fee or oath	\$130.00
127	50	227 25 Surcharge - late provisional filing fee or cover sheet	<input type="text"/>
139	130	139 130 Non-English specification	<input type="text"/>
147	2,520	147 2,520 For filing a request for reexamination	<input type="text"/>
112	920*	112 920* Requesting publication of SIR prior to Examiner action	<input type="text"/>
113	1,840*	113 1,840* Requesting publication of SIR after Examiner action	<input type="text"/>
115	110	215 55 Extension for reply within first month	<input type="text"/>
116	380	216 190 Extension for reply within second month	<input type="text"/>
117	870	217 435 Extension for reply within third month	<input type="text"/>
118	1,360	218 680 Extension for reply within fourth month	<input type="text"/>
128	1,850	228 925 Extension for reply within fifth month	<input type="text"/>
119	300	219 150 Notice of Appeal	<input type="text"/>
120	300	220 150 Filing a brief in support of an appeal	<input type="text"/>
121	260	221 130 Request for oral hearing	<input type="text"/>
138	1,510	138 1,510 Petition to institute a public use proceeding	<input type="text"/>
140	110	240 55 Petition to revive - unavoidable	<input type="text"/>
141	1,210	241 605 Petition to revive - unintentional	<input type="text"/>
142	1,210	242 605 Utility issue fee (or reissue)	<input type="text"/>
143	430	243 215 Design issue fee	<input type="text"/>
144	580	244 290 Plant issue fee	<input type="text"/>
122	130	122 130 Petitions to the Commissioner	<input type="text"/>
123	50	123 50 Petitions related to provisional applications	<input type="text"/>
126	240	126 240 Submission of Information Disclosure Stmt	<input type="text"/>
581	40	581 40 Recording each patent assignment per property (times number of properties)	<input type="text"/>
146	760	246 380 Filing a submission after final rejection (37 CFR § 1.129(a))	<input type="text"/>
149	760	249 380 For each additional invention to be examined (37 CFR § 1.129(b))	<input type="text"/>
Other fee (specify) _____			<input type="text"/>
Other fee (specify) _____			<input type="text"/>

* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

130.00

SUBMITTED BY

Name (Print/Type)	Mark K. Johnson	Registration No. (Attorney/Agent)	35,909	Telephone	(262) 821-5690
Signature		Date	November 13, 2000		

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.